

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

WEI TANG CHEN,

Plaintiff,

v.

STATE OF WASHINGTON,

Defendant.

Case No. C05-5275RBL

ORDER ADOPTING
REPORT AND
RECOMMENDATION

The Court, having reviewed Plaintiffs' complaint, the Report and Recommendation of Magistrate Judge J. Kelley Arnold, objections to the Report and Recommendation, if any, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) This action is **DISMISSED WITHOUT PREJUDICE** prior to service. Plaintiff may not challenge his current conviction in a civil rights action.
- (3) Clerk is directed to send copies of this Order to plaintiff, counsel for any defendants who have appeared, and to the Hon. J. Kelley Arnold.

DATED this 27th day of July, 2005.


RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE